The Department of Natural Resources is providing this report to satisfy the requirements of the "Procedures Concerning Certain Licenses Act", IC 14-11-4, and its associated administrative rule, 312 IAC 2-3. The application files are available for public inspection at the Division of Water's office in Indianapolis. Please contact the Division's Technical Services Section at (317) 232-4160 or the toll free number 1-877-928-3755 to make an appointment for file review. Photocopies may be made for a nominal charge of \$0.10 per 8 1/2 " X 11" copy.

A pre-action public hearing on an application may be requested by filing a written petition with the Director, Division of Water:

Michael W. Neyer, P.E., Director Division of Water Room W264 402 West Washington Street Indianapolis, Indiana 46204

For a petition to be considered valid it must:

- 1. Contain the typed or legibly printed name and complete mailing address of each petitioner;
- 2. Be signed by a minimum of 25 individuals who are at least 18 years old and either reside in the county where the project will take place or own real property within 1 mile of the project site;
- 3. Affirm that each signatory to the petition satisfies the requirements of item 2; and
- 4. Identify the application for which the public hearing is being requested either by the application # or the applicant's name and the project description.

A petition which does not meet these requirements will be considered invalid and the hearing request will not be granted.

A person may request that the Department provide written notice of its action on an application by filing a written request with:

Division of Water Room W264 402 West Washington Street Indianapolis, Indiana 46204

The request must identify the application by either the application # or the applicant's name and the project description.

Application # : FW-22892

Stream : Jackson Run

Applicant : Scott Hines

6675 Wimbeldon Drive Zionsville, IN 46077-9152

Description

: A new 3 acre pond, measuring approximately 150' wide by 750' long by 15' deep, will be constructed partially in the floodway. Material excavated from the pond will be distributed on top of the hill North of the pond (7 acre area). A 40' long outfall system consisting of a 24" diameter PVC pipe will convey storm water from the pond to the stream. Both ends of the pipe will be beveled to conform to the banks. An 18" thick layer of riprap will be placed over a geo-textile fabric at the base of both end sections. An earthen dam will be constructed by filling in the last 30' of an existing tributary with 3' - 4' of dirt to match the existing elevations of 906, NGVD, on both sides. This dam in conjunction with excavation will create the 3 acre recreational pond. The principal spillway will consist of a 40' section of 24" PVC pipe fitted with anti-seep collars. The structure will be designed to maintain a normal pool elevation of 901' NGVD. A vegetated emergency spillway will be constructed in the south abutment. It will have a 20' bottom width, 3:1 side slopes, and a control elevation of 904', NGVD. Details of the project are contained in information received electronically at the Division of Water on May 16, 2004 and in plans and information received at the Division of Water on June 15, 2004 and August 5, 2004.

Location

: On the southwest corner of County Roads 300 South and 800 East, beginning 330' west of County Road 800 East and continuing west approximately 700'

DOWNSTREAM: near Zionsville, Worth Township, Boone County N½, NE¼, NE¼, Section 20, T 18N, R 2E, Zionsville Quadrangle

Quad Code: 3908683

UTM Coordinates: Downstream 4427420 North, 558170 East

UPSTREAM:

UTM Coordinates: Upstream 4427315 North, 557930 East

Statute/Rule : Flood Control Act, IC 14-28-1, with the associated Flood Hazard Area Rule, 312

Application # : FW-22982

Stream : Yellow Creek

Applicant : SCO Engineering, LLC

Steven Shane

6534 Constitution Drive Fort Wayne, IN 46804-1550

Description

: A commercial facility with a stormwater drainage system will be developed along the west bank of Yellow Creek. The construction activities in the floodway will include: two detention ponds, a 12" inlet pipe with a plunge pool in the eastern detention pond, a 10" inlet pipe surrounded by concrete in the western detention pond, a drain opening in each detention pond, an outfall pipe to Yellow Creek, utility lines connecting the drain openings to the outfall, and a 21' by 11' dumpster pad surrounded by a 6' high chain link fence. In addition, fill will be placed in several areas: an approximate 20' by 50' area will be filled a maximum of 1', an approximate 20' by 40' area will be filled a maximum of .5', an approximate 180' by 5' area will be filled a maximum of 1', an approximate 40' by 7' area will be filled a maximum of 1'. Details of the project are contained in information received electronically at the Division of Water on July 14, 2004, and in plans and information received at the Division of Water on April 27, 2004.

Location

59040 Minuteman Way; beginning at the upstream side (south) of the

Mishawaka Road (County Road 20) crossing over Yellow Creek and continuing

upstream for approximately 480'

DOWNSTREAM: at Elkhart, Concord Township, Elkhart County NE¼, NE¼, NE¼, Section 27, T 37N, R 5E, Elkhart Quadrangle

Quad Code: 4108568

UTM Coordinates: Downstream 4609870 North, 589373 East

UPSTREAM:

UTM Coordinates: Upstream 4609831 North, 589382 East

Statute/Rule : Flood Control Act, IC 14-28-1, with the associated Flood Hazard Area Rule, 312

Application # : FW-23000

Stream : Middle Fork East Fork

Whitewater River

Applicant : Indiana Department of Transportation

Chris Moore Greenfield District

32 South Broadway Street Greenfield, IN 46140-2247

Description : Approximately 110' of the river's eroded southeast (left) streambank was restored

to a 2:1 slope and stabilized with riprap to protect the bank from further erosion. The eroded bank has been stabilized with gabions and riprap over geotextile fabric, topped with topsoil at grade, seeded and topped with a straw blanket. All work conforms to the existing bank at the project limits. Details of the project are contained in information and plans received at the Division of Water on July 21,

2004.

Location : Along the left (southeast) bank, approximately 1,900' downstream of the State

Road 227 river crossing and continuing downsteam approximately 110' DOWNSTREAM: near Middleboro, Wayne Township, Wayne County

NW1/4, SE1/4, SE1/4, Section 11, T 14N, R 1W, Whitewater, IN-OH Quadrangle

Quad Code: 3908487

UTM Coordinates: Downstream 4417657 North, 685068 East

UPSTREAM:

UTM Coordinates: Upstream 4417680 North, 685091 East

Statute/Rule : Flood Control Act, IC 14-28-1, with the associated Flood Hazard Area Rule, 312

Application # : FW-23015

Stream : Wyland Ditch

Applicant : Town of Winona Lake

Craig Allebach 1310 Park Avenue

Winona Lake, IN 46590-1664

Description : A concrete storm outfall pipe 34" diameter will be constructed along the

streambank to discharge stormwater runoff from County Road 250 East located landward of the floodway. The pipe will outlet onto a concrete end section. Riprap laid on geotextiles will be placed at the base of the end section for energy dissipation. Details of the project are contained in information and plans received

at the Division of Water on August 4, 2004.

Location : Along the north bank approximately 250' west and 1000' south of the intersection

of Pierceton Road and County Road 250 East

near Winona Lake, Kosciusko County

NE¼, SE¼, SW¼, Section 14, T 32N, R 6E, Warsaw Quadrangle

Quad Code: 4108527

UTM Coordinates: Downstream 4562483 North, 601000 East

Statute/Rule : Flood Control Act, IC 14-28-1, with the associated Flood Hazard Area Rule, 312

Application # : FW-23020

Stream : Unnamed Tributary Ell

Creek

Applicant : Farbest Foods, Inc.

Joseph P Michael

PO Box 480

Huntingburg, IN 47542-0480

Description : A 310' x 590' lagoon with 10' berms and an effluent pump station will be

constructed with 3:1 sideslopes. The berms will be located approximately 145' to 160' west of the top creek bank . Two borrow pits will also be constructed; borrow pit A is approximately 250' x 100', located southwest of the proposed lagoon and borrow pit B is approximately 300' x 300' located southeast of the proposed lagoon. Details of the project are contained in information and plans

received at the Division of Water on July 28, 2004 and August 5, 2004.

Location : Beginning approximately 750' west of the County Road 400 West and County

Road 500 South intersection extending 600' west and 1250' north DOWNSTREAM: near Huntingburg, Patoka Township, Dubois County

SE1/4, SE1/4, Section 29, T 2S, R 5W, Huntingburg Quadrangle

Quad Code: 3808638

UTM Coordinates: Downstream 4239875 North, 501550 East

UPSTREAM: Dubois County

Statute/Rule : Flood Control Act, IC 14-28-1, with the associated Flood Hazard Area Rule, 312

Application # : FW-23021

Stream : Lowther Neuhaus Ditch

Applicant : Lougheed & Associates

Scott Lougheed

1017 South Hadley Road Fort Wayne, IN 46804-5535

Description : A 774 square foot area will be filled in the northeast corner floodplain of

intersection of West State Boulevard to allow the construction of right hand turn lane into the proposed Cobblestone Ridge Subdivsion. The right hand turn lanes is required by City Traffic engineers. The fill will vary in depth from 0" on the landward side to approximately 4' on the streamward side. It will be set 50' back from the top of the bank and will have 3:1 sideslopes. The finished elevation of the fill will be 786', NGVD. The right hand turn lane for entrance into proposed Cobblestone Ridge Subdivision will be constructed on top of the completed fill. The fill material will be obtained by excavating the north bank of the ditch approximately 50'. The volume of cut generally matches the volume of fill at approximately 1,000 cyds. The existing culvert is to be extended 55 linear feet to allow construction of right hand turn lane. Details of the project are contained in

Northeast side of intersection of Lowther Neuhaus Ditch and West State Blvd less

information received electronically at the Division of Water on August 5, 2004.

than one-half mile east of Hilligas Road

at Fort Wayne, Washington Township, Allen County Section 33, T 31N, R 12E, Fort Wayne West Quadrangle

Quad Code: 4108512

Statute/Rule : Flood Control Act, IC 14-28-1, with the associated Flood Hazard Area Rule, 312

IAC 10

Location

Application # : FW-23023

Stream : Big Blue River

Applicant : City of Shelbyville

Bradley E Fix

775 West Boggstown Road Shelbyville, IN 46176-8928

Description

Approximately 2,470 lft. of 36-inch sewer line will be placed along the southern floodway boundary of the Big Blue River in Shelbyville, Indiana. Installation within the floodway will be completed by the open-cut method. Work witin the floodway will be confined to the area from the intersection of River Road and Conrey Street to approximately 660 feet west of Tompkins Street. Partial excavation of the levee is required near the Conrey Pump Station. Sewer pipe construction further requires an open-cut crossing of the levee near the east end of Sunset Park. Specifications for replacement of soils at the proposed levee crossing as well as details of a subsurface geotechnical investigation are included with the hardcopy submittal. There will be no in channel excavation or additional fill placement required to complete the project. Details of the project are contained in information received electronically at the Division of Water on August 6, 2004.

Location

The project is generally located along River Road from Conrey Street to Tompkins Street. Sewer construction will take place on both sides of the levee/River Road within these limits. However, some work within these limits is to be completed outside of the floodway boundary. at Shelbyville, Addison Township, Shelby County Section 31, T 13N, R 7E, Shelbyville Quadrangle

Quad Code: 3908557

Statute/Rule

Flood Control Act, IC 14-28-1, with the associated Flood Hazard Area Rule, 312

Application # : FW-23025

Stream : Mud Creek

Applicant : HDG Mansur

10 West Market Street

Suite 1200

Indianapolis, IN 46204-2854

Description

The proposed project's floodway construction shall include a total of seven commercial buildings, paved parking lots around each of the buildings, two stormwater detention ponds, a foot bridge over Mud Creek and six athletic field facilities. All of the following project elements will be located along the north side of Mud Creek with the exception of the south detention pond which will be located along the south side of Mud Creek and the foot bridge that will span the channel of Mud Creek. Building "A" will consist of a 6700 square foot commercial building located approximately 400 feet south and 240 feet east of the intersection of Hoosier Road and 116th Street. Finish floor elevation is 796.5 feet, NGVD. Approximately 7 feet of compacted fill dirt will be used to elevate the building site to the above flood protection grade. Building "B" will consist of a 12,200 square foot commercial building located approximately 250 feet south and 250 feet east of the intersection of Hoosier Road and 116th Street. Finish floor elevation is 796.5 feet, NGVD. Approximately 7 feet of compacted fill dirt will be used to elevate the building site to the above flood protection grade. Building "C" will consist of a 10,600 square foot commercial building located approximately 270 feet south and 400 feet east of the intersection of Hoosier Road and 116th Street. Finish floor elevation is 796.5 feet, NGVD. Approximately 7 feet of compacted fill dirt will be used to elevate the building site to the above flood protection grade. Building "D" will consist of a 9150 square foot commercial building located approximately 270 feet south and 550 feet east of the intersection of Hoosier Road and 116th Street. Finish floor elevation is 796.5 feet, NGVD. Approximately 14 feet of compacted fill dirt will be used to elevate the building site to the above flood protection grade. Building "E" will consist of a 4500 square foot commercial building located approximately 200 feet south and 900 feet east of the intersection of Hoosier Road and 116th Street. Finish floor elevation is 804.1 feet, NGVD. Approximately 15 feet of compacted fill dirt will be used to elevate the building site to the above flood protection grade. Building "F" will consist of a 8250 square foot commercial building located approximately 450 feet south and 1650 feet east of the intersection of Hoosier Road and 116th Street. Finish floor elevation is 798.5 feet, NGVD. Approximately 5 feet of compacted fill dirt will be used to elevate the building site to the above flood protection grade. Building "G" will consist of a 8250 square foot commercial building located approximately 200 feet south and 1050 feet east of the intersection of Hoosier Road and 116th Street. Finish floor elevation is 798.5 feet, NGVD. Approximately 5 feet of compacted fill dirt will be used to elevate the building site to the above flood protection grade. The six athletic recreational fields will have a nominal size of 195 feet (transverse to the Mud Creek flow direction) by 135 feet (parallel to the Mud Creek flow direction). The athletic fields will be constructed at or near existing grade. North detention pond will consist of a 1

acre excavated basin with a normal pool elevation and grassed side slopes with a maximum slope of 3 horizontal to 1 vertical. Stone rip rap and retaining walls will be used on steeper slopes adjacent to building and parking lot areas. The pond will include a 24-inch diameter outlet pipe and outfall structure at the north bank of Mud Creek. South detention pond will consist of a 1.5 acre excavated basin with a normal pool elevation and grassed side slopes with a maximum slope of 3 horizontal to 1 vertical. Stone rip rap and retaining walls will be used on steeper slopes adjacent to building and parking lot areas. The pond will include a 24-inch diameter outlet pipe and outfall structure at the south bank of Mud Creek. The paved parking lots and internal access drives will surround each building. Additional parking lots will be provided adjacent to the western most athletic field to provide parking for users of the athletic fields. Another parking lot will be provided between the north detention pond and Hoosier Road. A foot path will be constructed along the north bank of Mud Creek and along the athletic fields. The foot path will be constructed at or near existing grade. The pedestrian bridge will consist of a single span steel I-Beam/truss bridge placed bank-to-bank across the channel of Mud Creek. It will have a nominal length of 60 feet and width of 15 feet. It will have wood planking. The bridge approaches will be set at or near existing grade and the bridge will only be used during low water conditions. The project will also include appurtenant structures associated with a commercial development project and athletic fields. See plans for details. Details of the project are contained in information received electronically at the Division of Water on August 10, 2004.

Location

Project site extends approximately 2100 feet east of Hoosier Road and 1000 feet south of 116th Street

at Fishers, Fall Creek Township, Hamilton County Section 4, T 17N, R 5E, McCordsville Quadrangle Quad Code: 3908588

Quad Code: 3908588

Statute/Rule

Flood Control Act, IC 14-28-1, with the associated Flood Hazard Area Rule, 312

Application # : FW-23026

Stream : Dry Branch

Applicant : City of Lawrence

Gary Vandergriff

9001 East 59th Street, Suite 301 Lawrence, IN 46216-1036

Description : A new bridge will be constructed over Dry Branch to carry East 79th Street across

the stream. The new structure will be a 6-span concrete beam bridge with span lengths of 105', 90', 90', 105', 105', and 80'. The structure will have an out-to-out length of 48' and a clear roadway width of 30'. The spill through abutments will have 3:1 sideslopes armored with rip-rap. The approach roads will be elevated above the 100 year flood elevation. The project is 80 percent federally funded and 20 percent locally funded. Details of the project are contained in information

received electronically at the Division of Water on August 10, 2004

Location : The project is located between Sunnyside Road and Germantown Road, along

the existing city owned 79th Street right of way at Lawrence, Lawrence Township, Marion County Section 27, T 17N, R 5E, McCordsville Quadrangle

Quad Code: 3908588

Statute/Rule : Flood Control Act, IC 14-28-1, with the associated Flood Hazard Area Rule, 312

Application # : FW-23027

Stream : Middle Fork

Applicant : City of Lawrence

Gary Vandergriff

9001 East 59th Street, Suite 301 Lawrence, IN 46216-1036

Description : Two new bridges will be constructed over Middle Fork to carry E. 79th Street

across the stream. The new structures will be two single-span concrete beam bridges with waterway opening widths of 40'-6" for the west bridge and 53'6" for the east bridge. The spill through abutments will have 3:1 sideslopes armored with rip-rap. The abutments will be skewed 40 degrees for the east bridge to align with streamflow. The west bridge will have no skew as it is already

perpendicular to the streamflow. The approach roads will be elevated above the 100 year flood elevation. The project is 80 percent federally funded and 20 percent locally funded. Details of the project are contained in information

received electronically at the Division of Water on August 10, 2004.

Location : The project is located between Sunnyside Road and Germantown Road, along

the existing city owned 79th Street right of way at Lawrence, Lawrence Township, Marion County Section 22, T 17N, R 5E, McCordsville Quadrangle

Quad Code: 3908588

Statute/Rule : Flood Control Act, IC 14-28-1, with the associated Flood Hazard Area Rule, 312

IAC 10

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Application # : FW-23032

Stream : McConnel Ditch

Applicant : Three M Development, Co.

Roy W Mason

4607 West 173rd Avenue Lowell, IN 46356-2007

Description : A 100ft x 1,148ft area will be filled in the east floodplain of McConnel Ditch for the

purpose of providing additional housing. The fill will vary in depth from 8ft on the landward side to approximately 0ft on the streamward side. It will be set 130ft back from the top of the bank and will have N/A sideslopes. The finished

elevation of the fill will be 678ft, NGVD. The housing will be constructed on top of the completed fill. The fill material will be obtained by excavating higher

elevations of 695ft approximately 800ft to the east of the fill area.

Approximately 100% of the shoreline will be maintained at a shallow slope to encourage the development of wetland vegetation. Details of the project are contained in information received electronically at the Division of Water on August

10, 2004.

Location : East bank of McConnel Ditch; The project limits: 171st Ave. to the North,

bordered by Cedar Creek to the East, bordered by McConnel Ditch to the West,

and extending approximately 2,000ft to the south at Lowell, Cedar Creek Township, Lake County

Section 14, T 33N, R 9W

Statute/Rule : Flood Control Act, IC 14-28-1, with the associated Flood Hazard Area Rule, 312

Application # : FW-23033

Stream : Unnamed Tributary White

Creek

Applicant : John and Jeanne Shepherd

7450 West Deaver Road Columbus, IN 47201-4767

Description : A new bridge will be constructed over EFK White Creek Trib. No. 2 to carry

residental access driveway across the stream. The new structure will be a single

span I-Beam bridge with span lengths of 15 ft. The structure will have an out-to-out length of 15 ft and a clear roadway width of 15 ft. The vertical

abutments will have vertical sideslopes armored with rip rap. The abutments and piers will be skewed 0 degrees to align with streamflow. The approach roads will be elevated a maximum of 3 ft above the existing grade. Details of the project are contained in information received electronically at the Division of Water on

August 11, 2004.

Location : The project is located approximately 240 ft upstream of the County Road 400S

bridge over EFK White Creek Tributary No. 2.

Near New Columbus, Ohio Township, Bartholomew County

Section 8, T 8N, R 5E, New Bellsville Quadrangle

Quad Code: 3908621

Statute/Rule : Flood Control Act, IC 14-28-1, with the associated Flood Hazard Area Rule, 312

Application # : PL-19908

Lake : Ball Lake

Applicant : Jane D Gill

13 Larkspur Lane

Clarendon Hills, IL 60514-1014

Description : A glacial stone seawall will be constructed across the applicant's 98' frontage.

The lakeward face of the wall will be located along the lake's legal shoreline. Details of the project are contained in information received electronically at the Division of Water on July 13, 2004 and in information and plans received at the

Division of Water on July 24, 2004.

Location : 960 Lane 201

near Hamilton, Otsego Township, Steuben County

SW¼, SW¼, NE¼, Section 32, T 36N, R 14E, Hamilton Quadrangle

Quad Code: 4108458

UTM Coordinates: Downstream 4600103 North, 671609 East

Statute/Rule : Lakes Preservation Act, IC 14-26-2, with the associated Public Freshwater Lake

Application # : PL-19916

Lake : Clear Lake

Applicant : Jim and Cathleen Nevin

13084 Southampton Court Carmel, IN 46032-9400

Description : A concrete seawall will be constructed across 40' of the applicant's frontage. The

lakeward face of the wall will be located along the lake's legal shoreline. The deteriorated, existing railroad tie seawall will be completely removed. Also, a 20' by 30' underwater beach will be constructed across 20' of the applicant's 40' frontage by placing a 6" layer of pea gravel on the lakebed. Details of the project are contained in information and plans received at the Division of Water on July

15, 2004, and July 24, 2004.

Location : 1120 Lake Drive; approximately 3000' south and 900' east of the County Road

675 North and County Road 700 East intersection near Fremont, Clear Lake Township, Steuben County

NE¼, SW¼, SW¼, Section 19, T 38N, R 15E, Clear Lake, IN-OH-MI Quadrangle

Quad Code: 4108467

UTM Coordinates: Downstream 4622211 North, 678259 East

Statute/Rule : Lakes Preservation Act, IC 14-26-2, with the associated Public Freshwater Lake

Rule, 312 IAC 11

Application # : PL-19917

Lake : Pike Lake

Applicant : Paul and Linda Branning

2048 Sunset Drive

Warsaw, IN 46580-2233

Description : A concrete seawall will be refaced with a layer of concrete across 110' of the

applicant's frontage. The refacing will be keyed to the wall's lakeward face. Details of the project are contained in information and plans received at the

Division of Water on July 15, 2004, and July 29, 2004.

Location : 2048 Sunset drive

near Warsaw, Wayne Township, Kosciusko County

NW¼, SW¼, NE¼, Section 5, T 32N, R 6E, Leesburg Quadrangle

Quad Code: 4108537

UTM Coordinates: Downstream 4567865 North, 596306 East

Statute/Rule : Lakes Preservation Act, IC 14-26-2, with the associated Public Freshwater Lake

Application # : PL-19931

1 : Hamilton

Applicant : Fritch Construction and Excavation

Terry M Fritch 103 North Elm

Edgerton, OH 43517-0443

Description : An existing, rock seawall will be re-faced with a new glacier rock seawall along

150ft east/west bank of Hamilton Lake to deter bank erosion. The new wall will be approximately 3ft high, as measured from the lakebed, will have the same alignment as the existing wall, and will tie into existing seawalls located on adjacent properties located to the south and the north. Clean top soil will be brought onsite to backfill the area landward of the new seawall. The top dirt will be leveled with the top of the wall at the river and will be tapered back to existing ground elevations within the project site. Details of the project are contained in information received electronically at the Division of Water on August 5, 2004.

Location : Lot 53 in the original plat of the First Addition to Oakwood Shores on Hamilton

Lake as said plat appears on record in the office of the recorder in Steuben

County, Indiana, Page 55B, Volume #3

At Hamilton, Otsego Township, Steuben County

Statute/Rule : Lakes Preservation Act, IC 14-26-2, with the associated Public Freshwater Lake

Application # : PL-19934

Lake : Lake Wawasee

Applicant : James R Klotz

8314 Bluffview Court

Fort Wayne, IN 46825-7106

Description : A new seawall will be constructed along the frontage of the applicant on Lot# 45

in the plat of Crow's Addition to Ogden Island, Lake Wawasee, in Kosciusco County, Indiana. to deter further shoreline erosion and straighten legal shoreline. The wall will be composed of 2inch to 12inch diameter glacial stone and will be approximately 50ft long. The wall will be placed lakeward of existing uneven and deteriorating concrete seawall (see attached survey) and will be in line with adjacent concrete seawalls. Its lakeward face will be closer to the legal shoreline of the lake (see page 2 of surveyors report, paragraph 3). Details of the project are contained in information received electronically at the Division of Water on August

6, 2004

Location : Lot# 45 in the plat of Crow's Addition to Ogden Island

Pier #62 Lake Wawasee

11663 N. Ogden Point Rd., Syracuse, IN 46567.

at Syracuse, Turkey Creek Township, Kosciusko County Section 14, T 34N, R 7E, Lake Wawasee Quadrangle

Quad Code: 4108546

Statute/Rule : Lakes Preservation Act, IC 14-26-2, with the associated Public Freshwater Lake